

## Contract Summary by Section

Note: The list of Contract clauses below does not include all contract terms and conditions. These are considered key clauses that are highlighted for the purposes of this CAP. The contract structure follows the FAR Uniform Contract Format:

<u>Section</u>	<u>Description</u>
A	Award Form
B	Supplies or Services and Prices/Costs
C	Statement of Work
D	Packaging and Marking
E	Inspection and Acceptance
F	Deliveries or Performance
G	Contract Administration Data
H	Special Provisions
I	Contract clauses
J	List of Documents, Exhibits, and Other Attachments

### Contract Section B

#### Clause B-4, Estimated Fee and Cost:

- Annual fee amounts (less fee paid or missed under comprehensive, annual, or multiyear incentives) will be accrued each year. More or less fee may be paid out in a given year depending upon work completed.
- If the actual funding differs from the estimated funding by more than 10% in a given FY, the Contracting Officer (CO) may adjust the total available fee for that year.

#### Clause B-7, Option Exercise; Reduction of Term:

- If, by the end of FY 2003, FHI fails to earn 60% of the incentive fee available for annual performance based incentives, the comprehensive incentive, and progress payments based on completion dates in the multi-year incentives, then FHI agrees the term of the contract may be reduced from its current expiration date of September 30, 2006.

### Contract Section H

#### Clause H.33, Performance Objectives, Measures, Expectations, and Fee Distribution:

- The final determination of the incentives and related fee distribution is at DOE's unilateral discretion. The performance incentives are contained in Section J, Appendix D of the contract.
- A change of conditions, circumstances, funding, or assumptions which impact the contractor's ability to earn fee constitutes a change, when such changes are beyond the contractor's reasonable control.
- Superstretch (SS) incentives:
  - Cost/fee are from cost savings realized through efficiencies and/or work scope deletions, not deferrals.